



PTO/SB/21 (08-03)

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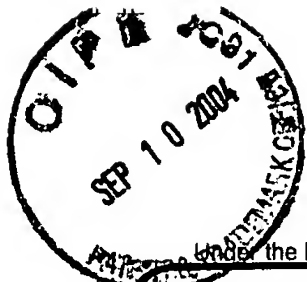
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/018,851	
	Filing Date	December 17, 2001	
	First Named Inventor	Shoji Oiso	
	Art Unit	1772	
	Examiner Name	Hon, Sow Fun	
Total Number of Pages in This Submission	7	Attorney Docket Number	576P043

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> After Allowance communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	-Request For Reconsideration of Patent Term Adjustment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	-Associate Power of Attorney
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Robert C. Frame Niels & Lemack	
Signature		
Date	September 8, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Robert C. Frame		
Signature		Date	Sept. 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 200.00

Complete if Known

Application Number	10/018,851
Filing Date	December 17, 2001
First Named Inventor	Shoji Oiso
Examiner Name	Hon, Sow Fun
Art Unit	1772
Attorney Docket No.	576P043

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 14-0930
Deposit Account Name: Nields & Lemack

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Multiple Dependent	-20** =	-3** =		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Request For Patent Term Adjustment					200
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 200.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Robert C. Frame	Registration No. (Attorney/Agent)	54,104	Telephone	508-898-1818
Signature		Date	Sept. 8, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ADAC
ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shoji Oiso, et al.
Serial No. : 10/018,851
Filed : December 17, 2001
For : DYE TYPE POLARIZING PLATE
Examiner : Hon, Sow Fun
Art Unit : 1772
Attorney Docket No. : 576P043

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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on September 8, 2004 (Date)

Robert C. Frame

Name of applicant, assignee, or Registered Representative

[Signature]

Signature

September 8, 2004

Date

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Sir:

The applicant respectfully requests reconsideration of the patent term adjustment for the above-identified application. This patent is not subject to a terminal disclaimer.

The patent term adjustment indicated on the Notice of Allowance is 61 days, which the applicant agrees is correct. However, the patent term adjustment indicated on the Notice of Issuance is 0 days. The applicant believes that this term should be 61 days, as explained below. This request is filed pursuant to Rule §1.705(d).

On May 24, 2004, the Examiner telephoned the undersigned to discuss an Examiner's amendment to claims 1 and 2. On May 28, 2004, the undersigned agreed to the proposed amendment. As a result of this amendment, the application was allowed. A Notice of Allowance was mailed

by the Examiner on June 3, 2004, and was received by the undersigned on June 7, 2004. Included with this notice was the determination of patent term adjustment, an Examiner's Amendment and an Interview Summary. The patent term adjustment at that time was calculated to be 61 days, as stated above. The Examiner's Amendment states that the amendment was authorized during a telephonic interview on May 28, 2004. Finally, the interview summary, a copy of which is attached to this petition, was appended. The Interview Summary required that a substance of interview be filed.

The receipt of the Notice of Allowance and the accompanying Interview Summary was the first time that the undersigned was made aware of his requirement to submit a substance of interview statement. As stated in MPEP 710.04, "where an examiner initiated interview directly results in the allowance of the application, the examiner may ... indicate that the examiner will provide a written record of the substance of the interview with the Notice of Allowability". Although the Examiner did include a written record of the substance of the interview, the form required the undersigned to supplement this record with one from the applicant.

In the last paragraph of the interview summary, it clearly states "APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW".

In compliance with that requirement, the undersigned mailed a statement of the substance of interview on June 8, 2004. It is this document which is being used to create a

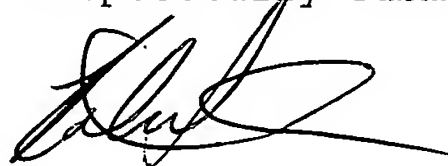
reduction of the period of patent term adjustment, pursuant to CFR 1.704(c)(10).

CFR 1.704(a) states that "the period of adjustment of the term of a patent...shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution of the application". CFR 1.704(b) and CFR 1.704(c) then enumerate the situations in which the applicant failed to engage in reasonable efforts.

Although the mailing of the statement of the substance of the interview did occur after the mailing of the Notice of Allowance, the undersigned did not fail to engage in reasonable efforts. As mentioned, the receipt of the Notice of Allowance marked the first time that the undersigned was made aware of the fact that an interview summary was required. Furthermore, once realizing that an interview summary was required, the undersigned generated and mailed this information on the following day!

In view of these events, the applicant respectfully requests reconsideration of the patent term adjustment in view of the afore-mentioned.

Respectfully submitted,



Robert C. Frame

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